



# STAFF REPORT

## SAUSALITO CITY COUNCIL

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### AGENDA TITLE:

Authorization to serve alcoholic beverages in the outdoor dining area of the restaurant located at 300 Turney Street.

### RECOMMENDED MOTION:

Staff recommends that the City Council adopt the attached resolution approving the service and consumption of alcoholic beverages in the portion of the outdoor dining area located in the Humboldt Street public right-of-way adjacent to the restaurant at 300 Turney Street.

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### BACKGROUND AND REQUEST DESCRIPTION

The applicant, Barbara Jaffe, on behalf of Wellington's business owner Jeremy John requests City Council approval to serve alcoholic beverages in the outdoor dining area located in the Humboldt Street public right-of-way adjacent to Wellington's restaurant at 300 Turney Street (APN 065-032-02).

The applicant's plan includes an approximately 250 square foot outdoor dining area on the east (waterfront) side of the restaurant. A portion of the outdoor dining area is located on the private property portion of the subject site and a portion of the outdoor dining area encroaches approximately six feet into the Humboldt Street public right-of-way adjacent to the site. The Humboldt Street right-of-way is improved with a wooden walkway providing public access along the waterfront. After development of the outdoor dining area, a six and one-half foot wide pedestrian passageway would continue to be available along the public wooden walkway.

On May 15, 2008, the Zoning Administrator conditionally approved a Minor Use Permit to allow the outdoor dining area with three tables, as requested by the applicant.

The restaurant is currently authorized to serve alcoholic beverages in its interior dining area, but not in the outdoor dining area. In order to serve alcoholic beverages in the public right-of-way portion of the outdoor dining area, City Council approval is required in accordance with Zoning Ordinance Section 10.44.220.C.5. The applicant is thus seeking City Council approval to serve alcoholic beverages in the portion of the outdoor dining area which encroaches into the public sidewalk along Humboldt Street.

### FISCAL IMPACT

No fiscal impact.

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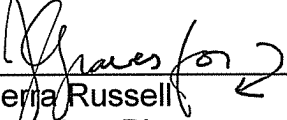
## STAFF RECOMMENDATION

Staff recommends that the City Council adopt the attached draft resolution approving the service and consumption of alcoholic beverages in the portion of the outdoor dining area located in the Humboldt Street public right-of-way adjacent to the restaurant at 300 Turney Street


## ATTACHMENT

Draft City Council Resolution

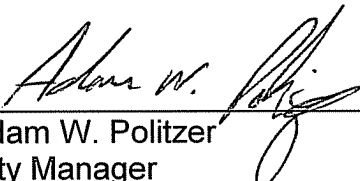
PREPARED BY:

  
\_\_\_\_\_  
Sierra Russell  
Associate Planner

REVIEWED BY:

  
\_\_\_\_\_  
Jeremy Graves, AICP  
Community Development Director

SUBMITTED BY:

  
\_\_\_\_\_  
Adam W. Politzer  
City Manager

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# DRAFT

## RESOLUTION NO. XXXX

### **A RESOLUTION OF THE SAUSALITO CITY COUNCIL APPROVING THE SERVICE AND CONSUMPTION OF ALCHOLIC BEVERAGES IN THE PORTION OF THE OUTDOOR DINING AREA LOCATED IN THE HUMBOLDT STREET PUBLIC RIGHT-OF-WAY ADJACENT TO THE RESTAURANT LOCATED AT 300 TURNEY STREET MUP 08-004**

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**WHEREAS**, an application has been filed pursuant to Sausalito Municipal Code Section 10.44.220 by Barbara Jaffe, on behalf of business owner Jeremy John, requesting City Council approval for the service and consumption of alcoholic beverages in the outdoor dining area located in the Humboldt Street right-of-way for the restaurant located at 300 Turney Street (APN 065-032-02); and

**WHEREAS**, on May 15, 2008, the Zoning Administrator approved Minor Use Permit MUP 08-004 for an outdoor dining area partially located in the Humboldt Street public right-of-way adjacent to the restaurant at 300 Turney Street; and

**WHEREAS**, on June 10, 2008, the City Council provided all interested persons an opportunity to comment on the subject application; and

**WHEREAS**, the City Council has reviewed and considered the City Council staff report dated June 10, 2008, written testimony on the subject application, and evidence from site visits; and

**WHEREAS**, the City Council has found that the subject application is categorically exempt from the requirements of the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301.

### **NOW, THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1.** The service and consumption of alcoholic beverages in the portion of the outdoor dining area located in the Humboldt Street right-of-way adjacent to the restaurant at 300 Turney Street, as shown on the plans attached as Exhibit A, is authorized.

**Section 2.** The time within which judicial review of this decision may be sought is governed by the provisions of section 65009 of the Government Code, section 1094.6 of the Code of Civil Procedure and all other applicable law.

**RESOLUTION PASSED AND ADOPTED** at the regular meeting of the City Council of the City of Sausalito on the 10<sup>th</sup> day of June 2008, by the following vote:

AYES: Councilmember:  
NOES: Councilmember:  
ABSENT: Councilmember:  
ABSTAIN: Councilmember:

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MAYOR AMY BELSER

ATTEST: \_\_\_\_\_  
CITY CLERK

Exhibit A: Site Plan – 300 Turney Street Outdoor Dining Area

MUP 08-004\300 Turney\_AlcholicBev creso 06-10-08.doc

**EXHIBIT A**  
**SITE PLAN**  
**300 TURNEY STREET**  
**WELLINGTON'S OUTDOOR DINING AREA**

300 Turnoy St.  
Sausalito  
California  
94965

ISSUED FOR:

[illegible][illegible]

1 SITE PLAN - PROPOSED  
A1.3 SCALE: 1/16" = 1'-0"

$$\frac{482}{6}$$